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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/543,310	04/05/2000	Rabindranath Dutta	AUS990913US1	6408

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Intellectual Property Law  
P.O Box 969  
Austin, TX 78767-0969

EXAMINER

MIRZA, ADNAN M

ART UNIT	PAPER NUMBER
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2141

DATE MAILED: 03/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/543,310

Applicant(s)

DUTTA, RABINDRANATH

Examiner

Adnan M Mirza

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 05 April 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-51 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-51 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-7, 9-15, 17-23, 25-31, 33-39, 41-48 rejected under 35 U.S.C. 103(a) as being unpatentable over Jamtgaard et al (U.S. 6,430,624 and further in view of Chase et al (U.S. 6,094,671).

As per claims 1, 9, 17, 25, 33, 41 Jamtgaard disclosed a method for delivering data over a network system, comprising the steps of: receiving, in a data processing system, a request for a first data page from a first client system; sending a reduced-content page, corresponding to the first data page, to the first client system (col. 2, lines 40-59);

However Jamtgaard failed to disclose sending the first data page to a second client system, wherein the first client system communicates with the data processing system over a more expensive connection than the second client system communicates with the data processing system. In the same field of endeavor Chase disclosed the HTML page of the present invention would provide a software connection to a low-cost communication medium whereby external sites-such as the source transmission station-could be contacted and dialogue when ensue. Low-cost links generally imply a lower throughput than satellite transmission rates. However, what is

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needed is some connection between receiving station, which is convenient to use, low cost to acquire, and low cost to operate. While the present invention embodies the use of any such low-cost link as implemented using a variety of data transfer techniques, the following example details the use of a telephone as one such convenient low cost data link (col. 4, lines 7-19).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have incorporated the sending the first data page to a second client system, wherein the first client system communicates with the data processing system over a more expensive connection than the second client system communicates with the data processing system as taught by Chase in the method of Jamtgaard to reduce the cost of the wireless connection to Internet and reduce latency in terms of down link.

3. As per claims 2-3,10-11,18-19,26-27,34-35,42-43 Jamtgaard disclosed after the receiving step, the step of creating a reduced-content page corresponding to the first data page (col. 8, lines 12-24).

4. As per claims 4,12,20,28,36,44 Jamtgaard disclosed wherein the first data processing system communicates via a wireless connection (col. 4, lines 58-67).

5. As per claims 5,13,21,29,37,45 Jamtgaard disclosed wherein the reduced content page is a wireless markup language page (col. 6, lines 59-63).

6. As per claims 6,14,22,30,38,46 Jamtgaard disclosed wherein the first data page is a hypertext markup language page (col. 4, lines 59-66).

7. As per claims 7,15,23,31,39,47 Chase disclosed wherein the first data page is sent to the second client system via an electronic mail message (col. 8, lines 39-47).

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8. Claims 8,16,24,32,40,48 rejected under 35 U.S.C. 103(a) as being unpatentable over Jamtgaard et al (U.S. 6,430,624), Chase et al (U.S. 6,094,671) and further in view of Puri et al (U.S. 6,148,330).

As per claims 8,16,24,32,40,48 Jamtgaard-Chase failed to disclose wherein the first data page is sent to the second client system via a push delivery system. In the same field of endeavor Puri disclosed window has displayed content that was automatically generated and push-delivered to personal computer by a channel service/content provider via the Internet and WWW according to the present invention (col. 10, lines 56-64).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have incorporated the wherein the first data page is sent to the second client system via a push delivery system as taught by Puri in the method of Jamtgaard-Chase to make the conventional web-browsing technology more efficient.

9. As per claims 49,50,51 has the same limitations as to claim 1 therefore under the same reasoning claims 49,50,51 can be rejected.

### ***Conclusion***

10. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Adnan Mirza whose telephone number is (703)-305-4633.

11. The examiner can normally be reached on Monday to Friday during normal business hours.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on (703)-308-5221. The fax for this group is (703)-746-7239.

12. The fax phone numbers for the organization where this application or proceeding is assigned are as follows: (703)-746-7239 (For Status Inquiries, Informal or Draft Communications, please label "PROPOSED" or "DRAFT"); (703)-746-7239 (For Official Communications Intended for entry, please mark "EXPEDITED PROCEDURE"), (703)-746-7238 (For After Final Communications).

13. Any Inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)-305-3900.

Any response to a final action should be mailed to:

BOX AF

Commissioner of Patents and Trademarks Washington, D.C.20231

Or faxed to:

Hand-delivered responses should be brought to 4<sup>th</sup> Floor Receptionist, Crystal Park II,  
2021 Crystal Drive, Arlington, VA 22202.

*AM*

Adnan Mirza

Examiner



LE HIEN LUU  
PRIMARY EXAMINER